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David W. Okcy

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Our Case No. 10922/51

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

FOSTER et al.

Serial No. 10/617,580

Filing Date: July 11, 2003

For: FLEXIBLE CANNULA

Examiner: Charles H. Sam

Group Art Unit No. 3731

RESPONSE TO OFFICE ACTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In reply to the non-final Office Action dated March 10, 2005, Applicant has filed this Amendment with a request for a one-month extension of time. Applicant respectfully requests the Examiner to withdraw the rejections to this application and to grant allowance of this Application in view of the attached statement of prior invention and the remarks following.

A listing of the Claims begin on p. 2 of this paper.

Remarks/arguments begin on p. 6 of this paper

An Appendix with a Statement under 37 C.F.R. § 1.131 is on pp. 8-15 of this paper.